

FILED IN EAST LYME
Mar 11, 2008 AT 3:45 M

**EAST LYME ZONING COMMISSION
PUBLIC HEARING II
Thursday, MARCH 6th, 2008
MINUTES**

L. Blais
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on the Application of Richard McFadden d/b/a The Eclectic Chef for a Special Permit for Outdoor Dining at 281 Main Street, Niantic, CT on Thursday, March 6, 2008 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 10:20 PM after the previously scheduled Public Hearing.

PRESENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary,
Marc Salerno, Ed Gada, Norm Peck, Steve Carpenteri

ALSO PRESENT: Richard McFadden, Applicant
William Dwyer, Alternate
William Mulholland, Zoning Official

ABSENT: John Birmingham, Alternate, Bob Bulmer, Alternate

PANEL: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary,
Marc Salerno, Ed Gada, Norm Peck, Steve Carpenteri

Pledge of Allegiance

The Pledge was previously observed.

Public Hearing II

1. Application of Richard McFadden d/b/a The Eclectic Chef for a Special Permit for Outdoor Dining at 281 Main Street, Niantic, CT.

Mr. Nickerson noted that the Legal Ad had run in The Day on February 22, 2008 and March 3, 2008.

He asked Ms. Carabelas, Secretary to read the correspondence into the record.

Ms. Carabelas, Secretary read the following correspondence into the record:

- ◆ Letter dated 3/6/08 to East Lyme Zoning Commission from William Mulholland, Zoning Official – Re: Special Permit – Outdoor Dining Eclectic Chef 281 Main Street – noting that the subject patio area has long been established and is presently enclosed with a small fence and finding that it complies with all applicable zoning regulations.

Mr. Nickerson called upon the applicant regarding this application.

Richard McFadden, owner said that he is looking for a Special Permit for Outdoor Dining in front of his shop. He said that there would be no alcoholic beverages served, no speakers or music and no wait service. He said that his business does not serve alcohol. He would put plain market umbrellas up. He said that he has used green in the past and that they would not have any advertising. His patrons get their food inside and carry it outside to eat.

Mr. Nickerson said that the issues that they would have were that of alcohol, late nights, Budweiser umbrellas and loud music.

Mr. McFadden said that the only day that he is open past 7 PM is on East Lyme Day.

Mr. Nickerson called for comments from the public regarding this application.

Bob Gadbois, 358 Boston Post Road said that he does not see why they don't give him this Special Permit as there are others who have it there. If it does not work out then they can take it away and not give it again.

Mr. Nickerson noted that the fee is a one (1) year renewable and that they have the power to review this so that if there is a problem then they can act accordingly.

Mr. Nickerson asked if the Commission had any other questions or comments –
Hearing none –

Mr. Nickerson called for a motion to close this Public Hearing.

****MOTION (1)**

Ms. Carabelas moved that this Public Hearing be closed.

Mr. Salemo seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 10:30 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary